**South Carolina General Assembly**

123rd Session, 2019-2020

**A109, R35, S735**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Johnson

Document Path: l:\s-res\klj\003abol.kmm.klj.docx

Introduced in the Senate on April 2, 2019

Introduced in the House on April 9, 2019

Passed by the General Assembly on April 23, 2019

Governor's Action: May 1, 2019, Vetoed

Legislative veto action(s): Veto overridden

Summary: Clarendon County Board of Education

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 4/2/2019 Senate Introduced, read first time, placed on local & uncontested calendar ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20190402.docx))

 4/3/2019 Senate Read second time ([Senate Journal‑page 20](file:///h%3A%5Csj%5C20190403.docx))

 4/3/2019 Senate Unanimous consent for third reading on next legislative day ([Senate Journal‑page 20](file:///h%3A%5Csj%5C20190403.docx))

 4/4/2019 Senate Read third time and sent to House ([Senate Journal‑page 7](file:///h%3A%5Csj%5C20190404.docx))

 4/9/2019 House Introduced and read first time ([House Journal‑page 27](file:///h%3A%5Chj%5C20190409.docx))

 4/9/2019 House Referred to **Clarendon Delegation** ([House Journal‑page 27](file:///h%3A%5Chj%5C20190409.docx))

 4/11/2019 House Delegation report: Favorable **Clarendon Delegation** ([House Journal‑page 79](file:///h%3A%5Chj%5C20190411.docx))

 4/11/2019 House Read second time ([House Journal‑page 79](file:///h%3A%5Chj%5C20190411.docx))

 4/11/2019 House Roll call Yeas‑76 Nays‑0 ([House Journal‑page 79](file:///h%3A%5Chj%5C20190411.docx))

 4/12/2019 Scrivener's error corrected

 4/23/2019 House Read third time and enrolled ([House Journal‑page 42](file:///h%3A%5Chj%5C20190423.docx))

 4/25/2019 Ratified R 35 ([Senate Journal‑page 56](file:///h%3A%5Csj%5C20190425.docx))

 5/1/2019 Vetoed by Governor

 5/2/2019 Senate Veto overridden by originating body Ayes‑34 Nays‑0 ([Senate Journal‑page 6](file:///h%3A%5Csj%5C20190502.docx))

 5/7/2019 House Veto overridden Yeas‑61 Nays‑26 ([House Journal‑page 36](file:///h%3A%5Chj%5C20190507.docx))

 5/7/2019 House Roll call Yeas‑61 Nays‑26 ([House Journal‑page 37](file:///h%3A%5Chj%5C20190507.docx))

 5/16/2019 Effective date 05/07/19

 7/10/2019 Act No.  109

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=735&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[4/2/2019](file:///p%3A%5Cpprever%5C2019-20%5C735_20190402.docx)

[4/2/2019-A](file:///p%3A%5Cpprever%5C2019-20%5C735_20190402A.docx)

[4/11/2019](file:///p%3A%5Cpprever%5C2019-20%5C735_20190411.docx)

[4/12/2019](file:///p%3A%5Cpprever%5C2019-20%5C735_20190412.docx)

(A109, R35, S735)

**AN ACT TO ABOLISH THE CLARENDON COUNTY BOARD OF EDUCATION; TO AMEND ACT 593 OF 1986, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 1 AND SCHOOL DISTRICT NO. 2 IN CLARENDON COUNTY, SO AS TO PROVIDE THAT THE CLARENDON COUNTY LEGISLATIVE DELEGATION MAKES FOUR APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 1 IN CLARENDON COUNTY AND NINE APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 2 IN CLARENDON COUNTY; AND TO REPEAL CERTAIN LOCAL PROVISIONS INCONSISTENT WITH THIS ACT.**

Be it enacted by the General Assembly of the State of South Carolina:

**Clarendon County Board of Education abolished and its functions, duties, and powers devolved**

SECTION 1. The Clarendon County Board of Education is abolished on July 1, 2019. Its functions, duties, and powers are devolved upon the Clarendon County Election Commission, and its remaining functions, duties, and powers are devolved upon the respective boards of trustees of the school districts of Clarendon County.

**Composition of Board of Trustees of School District No. 1 in Clarendon County**

SECTION 2. Act 593 of 1986, as amended by Act 768 of 1988 and Act 421 of 2002, is further amended to read:

 “SECTION 1. The Board of Trustees of School District No. 1 in Clarendon County shall consist of nine members. Five members of the Board of Trustees of School District 1 in Clarendon County must be elected in nonpartisan elections to be held and conducted in the manner provided in this act. Four members of the Board of Trustees of School District 1 in Clarendon County must be appointed by the Clarendon County Legislative Delegation.

 SECTION 2. The elected members of the board of trustees must be elected from the school district at large in a nonpartisan election to be conducted at the same time as the general election in the manner provided in this act.

 Members must be elected for terms of office of four years each. The members shall serve until their successors are elected or appointed and qualify.

 Vacancies occurring on the board of trustees must be filled for the remainder of the unexpired term by appointment by the county legislative delegation.

 SECTION 3. The members of the board of trustees must be residents of the school district and must be elected from the district at large by the qualified electors of the district. All persons desiring to qualify as candidates and be elected to the board of trustees shall file written notice of candidacy with the Clarendon County Board of Voter Registration and Elections at least sixty days before the date set for the election but not earlier than ninety days prior to the election. This notice of candidacy must be a sworn statement and must include the candidate’s name, age, voting precinct, period of residence in the district, and other information the Clarendon County Board of Voter Registration and Elections requires. No filing fee may be required of any person desiring to qualify as a candidate.

 The Clarendon County Board of Voter Registration and Elections shall conduct and supervise the elections in the manner governed by the election laws of this State mutatis mutandis. The Clarendon County Board of Voter Registration and Elections shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results of the elections. The Clarendon County Board of Voter Registration and Elections shall advertise the date of the election ninety days preceding the election in a newspaper of general circulation published in the district and shall publish a second notice thirty days before the election. The costs of the election must be borne by the Clarendon County Board of Voter Registration and Elections.

 The results of the election must be determined in accordance with the nonpartisan plurality method prescribed by Section 5‑15‑61 of the 1976 Code.

 The members elected in the nonpartisan elections and the members appointed by the county legislative delegation shall take office at the first official meeting of the board of trustees in the month of January following their election or appointment. The current members continue to serve in office until their present terms expire and their successors are elected or appointed and qualify.”

**Composition of Board of Trustees of School District No. 2 in Clarendon County**

SECTION 3. The Board of Trustees of School District No. 2 in Clarendon County shall consist of nine members who must be appointed by the Clarendon County Legislative Delegation for a term of three years and until successors are appointed and qualify. Vacancies occurring on the board of trustees must be filled for the remainder of the unexpired term by appointment by the Clarendon County Legislative Delegation.

**Local provisions repealed**

SECTION 4. Act 236 of 1981 and SECTION 3 of Act 593 of 1986, both relating to the Clarendon County Board of Education making appointments to Clarendon County school district boards of trustees, are repealed. SECTION 3 of Act 768 of 1988, relating to the Clarendon County Board of Education, is repealed.

**Continuity and succession of members**

SECTION 5. All members of the Board of Trustees of School Districts 1 and 2 in Clarendon County as of the effective date of this act shall continue to serve until their successors are elected or appointed and qualify.

**Time effective**

SECTION 6. This act takes effect upon approval by the Governor.

Ratified the 25th day of April, 2019.

Vetoed by the Governor -- 5/1/19.

Veto overridden by Senate -- 5/2/19.

Veto overridden by House -- 5/7/19.

\_\_\_\_\_\_\_\_\_\_